

General Counsel

83-09618

OLL 83-2782
18 November 1983

MEMORANDUM FOR THE RECORD

SUBJECT: The Civilian Travel Expense Amendments Act of 1983

1. Attached for your information and review is a copy of H.R. 4233, a Bill to revise certain provisions of Chapter 57, Title 5, United States Code, relating to the subsistence allowances of Government employees while performing official travel, and for other purposes. This Bill was introduced at the request of the Executive Branch. It has been referred to the Committee on Government Operations. Staff of the cognizant Subcommittee indicated today that no action will be taken on this Bill prior to early February 1984.

2. This Office will continue to follow and report on H.R. 4233 as appropriate.

Liaison Division
Office of Legislative Liaison

Attachment:
As stated

Distribution:

- 1 - OLL Record w/att.
- 1 - OLL Chrono w/o att.
- 1 - D/OLL w/o att.
- 1 - DD/OLL w/o att.
- 1 - LEG/OLL w/o att.
- 1 - SSA/DDA w/att.
- 1 - Asst. Director/OF/Policy & Planning w/att.
- ✓ 1 - OGC/ALD w/att.
- 1 - TBC Chrono w/o att.
- 1 - TBC Subject w/att.

LD:OLL: (18 Nov 83)

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98TH CONGRESS
1ST SESSION

H. R. 4233

To revise certain provisions of chapter 57 of title 5, United States Code, relating to the subsistence allowances of Government employees while performing official travel, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 27, 1983

Mr. BROOKS (by request) introduced the following bill; which was referred to the Committee on Government Operations

A BILL

To revise certain provisions of chapter 57 of title 5, United States Code, relating to the subsistence allowances of Government employees while performing official travel, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Civilian Travel Expense
4 Amendments Act of 1983".

5 SEC. 2. Section 5702 of title 5, United States Code, is
6 amended to read as follows:

1 **"§ 5702. Per diem; employee traveling on business**

2 “(a) Under regulations prescribed under section 5707 of
3 this title, an employee while traveling on official business
4 away from his designated post of duty, or an individual de-
5 scribed under section 5703 of this title while traveling on
6 official business away from his home or regular place of busi-
7 ness, is entitled to (1) a per diem allowance for travel inside
8 the continental United States at a rate not in excess of the
9 rate or rates established by the Administrator of General
10 Services, or his designee, which shall not exceed \$75 per day
11 and which may be established by locality, and (2) a per diem
12 allowance for travel outside the continental United States at
13 a rate not in excess of the rate or rates established by the
14 President, or his designee, for each locality where travel is
15 performed. For travel consuming less than a full day, such
16 rate or rates may be allocated proportionately.

17 “(b) Under regulations prescribed under section 5707 of
18 this title, the Administrator, or his designee, may prescribe
19 conditions under which an employee who, while traveling on
20 official business away from his designated post of duty, or an
21 individual described under section 5703 of this title who,
22 while so traveling away from his home or regular place of
23 business—

24 “(1) becomes incapacitated by illness or injury not
25 due to his own misconduct, or

1 “(2) returns, prior to the completion of his assign-
2 ment, and with the approval of the agency concerned,
3 to his designated post of duty, or home or regular
4 place of business, because of a personal emergency sit-
5 uation such as serious illness, injury, or death of a
6 member of his family, or an emergency situation such
7 as fire, or flood or other act of God,
8 is entitled to the per diem allowance and appropriate trans-
9 portation expenses to his designated post of duty, or home or
10 regular place of business, as the case may be.

11 “(c) Under regulations prescribed under section 5707 of
12 this title, the Administrator of General Services, or his desig-
13 nee, may prescribe conditions under which an employee may
14 be reimbursed for the actual and necessary expenses of offi-
15 cial travel within the continental United States when the per
16 diem allowance otherwise allowable is determined to be inad-
17 equate or payment of a per diem allowance is otherwise inap-
18 propriate. However, such reimbursement shall not exceed
19 \$75 for each day in a travel status.

20 “(d) Under regulations prescribed under section 5707 of
21 this title, the Administrator of General Services, or his desig-
22 nee, may prescribe conditions under which an employee may
23 be paid a special per diem allowance for official travel outside
24 the continental United States when the per diem allowance
25 otherwise allowable is inadequate to cover the actual and

1 necessary expenses of such travel. However, the special per
2 diem allowance shall not exceed the total sum of \$33 plus the
3 per diem rate prescribed under subsection (a)(2) of this sec-
4 tion for the locality in which the travel is performed.

5 “(e) Under regulations prescribed under section 5707 of
6 this title, the Administrator of General Services, or his desig-
7 nee, may prescribe conditions under which an employee who
8 serves in a law enforcement, investigative, protective, or
9 other capacity, or members of his immediate family, or both,
10 may be authorized a per diem allowance by the head of the
11 agency concerned, under the provisions of subsection (a) of
12 this section, when necessarily occupying temporary living ac-
13 commodation at or away from the employee's designated
14 post of duty, and transportation to and from such location,
15 because of threat to life or property or because law en-
16 forcement, investigative, or protective interests may be
17 compromised.

18 “(f) This section does not apply to a justice or judge,
19 except to the extent provided by section 456 of title 28.”.

20 SEC. 3. Section 5707 of title 5, United States Code, is
21 amended by adding at the end thereof the following new sub-
22 section:

23 “(c) In order to review and to develop an analysis of
24 estimated total agency payments for travel and transporta-
25 tion of people, average costs and duration of trips, purposes

1 of official travel, and other related data, the Administrator of
2 General Services periodically, but at least every two years,
3 shall collect information on travel and transportation pay-
4 ments with respect to agencies spending more than
5 \$5,000,000 annually on such payments. Such collection of
6 information shall be based on a sampling survey to the extent
7 feasible and may also include data on employee relocation
8 expense payments.”.

9 SEC. 4. The amendments made by this Act shall be ef-
10 fective ninety days after the date of its enactment.

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